

Practitioner's Docket No. ECV 597CIP/49988/MEG/E303**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Jan Otto Solem, et al.Application No.: 09 / 775,677 Group No.: 3738Filed: February 5, 2001 Examiner: Urmi ChattopadhyayFor: METHOD AND DEVICE FOR TREATMENT OF MITRAL INSUFFICIENCY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT, REQUEST AND FEE DELETING INCORRECTLY
NAMED PERSON(S) WHO ARE NOT INVENTOR(S) OF INVENTION
NOW BEING CLAIMED—NONPROVISIONAL APPLICATION—
(37 C.F.R. § 1.48(b))**

NOTE: The correction of the inventorship can be made with respect to the inventors originally named or where the inventorship was corrected after filing under § 1.48(a) and, subsequent to that correction, prosecution of the application required additional correction under § 1.48(b). 62 Fed. Reg. 53,131, at 53,139 (Oct. 10, 1997).

NOTE: "If the correct inventors are named in a nonprovisional application and the prosecution of the application results in the amendment or cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the application, an amendment must be filed requesting the deletion of the name or names of the person or persons who are not inventors of the application being claimed." 37 C.F.R. § 1.48(b).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

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Signature

Date: March 11, 2004Christine Sherwood

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment, Request and Fee Deleting Incorrectly Named Person(s) Who Are Not Inventor(s) of Invention
Now Being Claimed (37 C.F.R. § 1.48(b)) [9-21]—page 1 of 2)



03/24/2004 CCHAU1 00000010 09775677

04 FC:1460 130.00 OP

1. This amendment and request under 37 C.F.R. § 1.48(b) is to delete the name(s) of the following person(s) named as inventor(s) and who is (are) not the inventor(s) of the invention now being claimed: Erwin Berger

2. Claim(s) Now on File

The claim(s) in this application are as follows:

(check and complete all applicable items)

- ☒ originally filed claim(s) 16-17
- ☒ originally filed claim(s) 14-15
as amended on May 30, 2003
- ☒ claim(s) 25-27, 29, 32-36 filed on 10/19/01
- ☒ claim(s) 22, 30, 37, 40 filed on 10/19/01
as amended on 5/30/03
- ☒ claim(s) 38, 39, 74 filed on 10/19/01, as amended on 3/11/04
3. Status of Inventorship After Amendment

(check the following, item if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed)

- ☐ Attached is an explanation of the facts, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee (37 C.F.R. § 1.17(i)–\$130.00)

The fee required by is paid as follows:

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 130.00
- ☐ Authorization is hereby made to charge the amount of \$ _____
- ☒ to Deposit Account No. 03-1728
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.


SIGNATURE OF PRACTITIONER

Reg. No.: **31,953**

Mark Garscia

(type or print name of practitioner)

Tel. No.: (**626**) **795-9900**

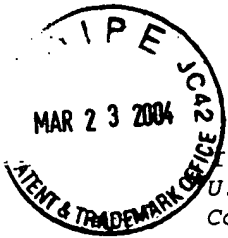
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(Amendment, Request and Fee Deleting Incorrectly Named Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed (37 C.F.R. § 1.48(b)) [9-21]—page 2 of 2)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Christine Sherwood
Signature

Appl No. : 09/775,677 Confirmation No. 3473
Applicant : Jan Otto Solem, et al.
Filed : February 5, 2001
Title : METHOD AND DEVICE FOR TREATMENT OF MITRAL
INSUFFICIENCY

TC/A.U. : 3738
Examiner : Urmi Chattopadhyay

Docket No. : ECV 597CIP/49988/MEG/E303
Customer No. : 30452

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AMENDMENT

Commissioner for Patents
P.O. Box 1450
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Post Office Box 7068
Pasadena, CA 91109-7068
March 11, 2004

Commissioner:

In response to the Office action of October 21, 2003,
please amend the above-identified application as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims
which begins on page 4 of this paper.

Amendments to the Drawings begin on page 11 of this paper and
include an attached replacement sheet.

Appln No. 09/775,677

Amdt date March 11, 2004

Reply to Office action of October 21, 2003

Remarks/Arguments begin on page 12 of this paper.

An **Appendix** including amended drawings figures is attached following page 17 of this paper.